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INTELLECTUAL PROPERTY LAW

Fax

DATE: October 29, 2004

TO	Box / Fax No.	RE:
US Patent and Trademark Office	703-872-9306	Serial No. 09/988,904 Filing Date: 11/30/01 Inventor: Gamer
FROM	Daniel J. Chalker dchalker@chalkerflores.com	
DIRECT LINE	214-866-0001	
DIRECT FAX	214-866-0010	
CLIENT/MATTER NO.	UTSW:1045	
TOTAL PAGES (including cover)	30	
Customer No.	34,725	

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Is this for Service of Documents?
 Please indicate local time deadline:
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Comments

Attached for filing please find:

- | | |
|--|---------|
| 1. PTO Transmittal Form | 1 pg. |
| 2. PTO Fee Transmittal | 1 pg. |
| 3. PTO Form 2038 | 1 pg. |
| 4. PTO Petition for 2 Mo. Extension | 1 pg. |
| 5. Response to Notice of Non-Compliant Amendment | 25 pgs. |

Thank you,

Daniel J. Chalker, Reg. No. 40,552

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12700 Park Central, Suite 455

Tel: 214.866.0001

PAGE 1/30 * RCVD AT 10/29/2004 8:03:51 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID:2148660010 * DURATION (mm:ss):09:02

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OCT 29 2004

PTO/SB/21 (04-04)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	09/998,904
		Filing Date	Nov 30, 2001
		First Named Inventor	Gamer, Harold R.
		Art Unit	1631
		Examiner Name	Moran, Majorie A.
Total Number of Pages in This Submission	30	Attorney Docket Number	UTSW:1045

ENCLOSURES (Check all that apply)

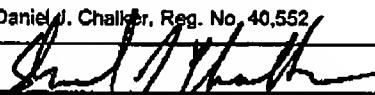
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)	
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter	
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	PTO Fax Transmittal; PTO Form 2038	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	_____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Daniel J. Chalker Chalker Flores, LLP
Signature	
Date	October 29, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Daniel J. Chalker, Reg. No. 40,552		
Signature		Date	October 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2009. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1215.00)

Complete if Known

Application Number	09/998,904
Filing Date	11/30/2001
First Named Inventor	Gamer, et al.
Examiner Name	Moran, Marorie A.
Art Unit	1631
Attorney Docket No.	UTSW:1045

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None Deposit Account

Deposit Account Number	[Redacted]
Deposit Account Name	[Redacted]

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
1001	2001	395 Utility filing fee	[Redacted]
1002	350	2002 175 Design filing fee	[Redacted]
1003	550	2003 275 Plant filing fee	[Redacted]
1004	790	2004 395 Reissue filing fee	[Redacted]
1005	180	2005 80 Provisional filing fee	[Redacted]

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		-20**	x	[Redacted]
		- 3**	x	[Redacted]
				[Redacted]
				[Redacted]

Large Entity	Small Entity	Fee Description	Fee Paid
1202	18	2202 9 Claims in excess of 20	[Redacted]
1201	88	2201 44 Independent claims in excess of 3	[Redacted]
1203	300	2203 150 Multiple dependent claim, if not paid	[Redacted]
1204	66	2204 44 **Reissue independent claims over original patent	[Redacted]
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent	[Redacted]

SUBTOTAL (2) (\$0.00)

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

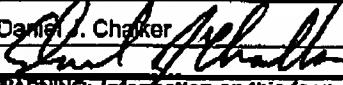
3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	[Redacted]
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	[Redacted]
1053	130	1053 130 Non-English specification	[Redacted]
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	[Redacted]
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	[Redacted]
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	[Redacted]
1251	110	2251 55 Extension for reply within first month	[Redacted]
1252	430	2252 215 Extension for reply within second month	215.00
1253	980	2253 490 Extension for reply within third month	[Redacted]
1254	1,530	2254 765 Extension for reply within fourth month	[Redacted]
1255	2,080	2255 1,040 Extension for reply within fifth month	[Redacted]
1401	340	2401 170 Notice of Appeal	[Redacted]
1402	340	2402 170 Filing a brief in support of an appeal	[Redacted]
1403	300	2403 150 Request for oral hearing	[Redacted]
1451	1,510	1451 1,510 Petition to institute a public use proceeding	[Redacted]
1452	110	2452 55 Petition to revive - unavoidable	[Redacted]
1453	1,270	2453 689 Petition to revive - unintentional	[Redacted]
1501	1,370	2501 685 Utility issue fee (or reissue)	[Redacted]
1502	430	2502 245 Design issue fee	[Redacted]
1503	660	2503 330 Plant issue fee	[Redacted]
1460	130	1460 130 Petitions to the Commissioner	[Redacted]
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	[Redacted]
1808	180	1806 180 Submission of Information Disclosure Stmt	[Redacted]
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	[Redacted]
1809	790	2809 395 Filing a submission after final rejection (37 CFR 1.129(a))	[Redacted]
1810	790	2810 395 For each additional invention to be examined (37 CFR 1.129(b))	[Redacted]
1801	790	2801 385 Request for Continued Examination (RCE)	[Redacted]
1802	900	1802 300 Request for expedited examination of a design application	[Redacted]

Other fee (specify)

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$215.00)

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Daniel J. Chalker	Registration No. (Attorney/Agent)	40,552	Telephone (214) 866-0001
Signature		Date	10/29/04	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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OCT 29 2004

Appl. No. : 09/998,904 Confirmation No. 4132
Applicant : Garner
Filed : November 30, 2001
TC/A.U. : 1631
Examiner : Marjorie A. Moran
Docket No. : UTSW:1045
Customer No. : 34725

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Response to the Notice of Non-Compliant Amendment mailed on August 26, 2004, a corrected listing of claims for the above-identified application follows.